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Amendment dated July 30, 2004  
Reply to Office Action of May 20, 2004

### REMARKS

Claims 19-38 are pending in this application. For purposes of expedition, claims 1-18 have been canceled without prejudice or disclaimer in favor of newly added claims 19-38 to clearly distinguish over all cited prior art of record, including Matsumoto, JP 07-129498; Dodd, U.S. Patent No. 6,321,211; Relly, U.S. Patent No. 6,401,150; and Coward, U.S. Patent No. 6,633,899, in order to assist the Examiner to expedite compact prosecution of the instant application.

The drawings have been objected to as failing to comply with 37 C.F.R. §1.84(p)(5) because reference signs 505, 604, 606, 608, 610, 611, 612, 613 and 904 are not described in the specification. In response thereto, the specification has been revised to make reference to those signs to overcome the objection.

The disclosure has been objected to because of informalities listed on page 2 of the Office Action (Paper No. 6). In response thereto, the disclosure has been reviewed and revised in those instances kindly noted by the Examiner as well as other instances identified by Applicants to overcome the objection.

Claim 18 has been objected to under 37 C.F.R. §1.75© as being in improper form. As discussed, claim 18 has been canceled without prejudice or disclaimer to render the objection moot.

Claims 6 and 7 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for using the term "it is possible". Again, as discussed, claims 6-7 have been canceled without prejudice or disclaimer to render the rejection moot.

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Claims 1-3, 7-10 and 12 have been rejected under 35 U.S.C. §102(b) as being anticipated by Matsumoto et al., JP 07-129498 for reasons stated on pages 4-7 of the Office Action (Paper No. 6). While Applicants disagree with the Examiner's assessment of Matsumoto '498, claims 1-3, 7-10 and 12 have been canceled without prejudice or disclaimer in favor of the newly added claims 19-38 to render the rejection moot.

Dependent claims 4, 11 and 17 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Matsumoto et al., JP 07-129498, as applied to claims 3, 10 and 12 above, in view of Dodd, U.S. Patent No. 6,321,211 for reasons stated on pages 8-9 of the Office Action (Paper No. 6). Likewise, dependent claims 5, 13 and 14 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Matsumoto et al., JP 07-129498, as applied to claims 1, 12 and 13 above, in view of Rellly, U.S. Patent No. 6,401,150 for reasons stated on pages 9-10 of the Office Action (Paper No. 6). Lastly, dependent claims 6 and 15-16 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Matsumoto et al., JP 07-129498, as applied to claims 1 and 12 above, in view of Coward, U.S. Patent No. 6,633,899 for reasons stated on pages 11-12 of the Office Action (Paper No. 6). As previously discussed, these claims have been canceled without prejudice or disclaimer in favor of allowance of newly added claims 19-38.

Claims 19-38 are believed to be allowable at least for reasons that two different types of Identifiers, i.e., first and second identifiers which represent an external identifier set by the client (client computer) and a job identifier set by the server (server computer), are used to identify information to be received or

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transmitted between the client (client computer) and the server (server computer), that are not disclosed or suggested by the cited prior art, including Matsumoto, JP 07-129498; Dodd, U.S. Patent No. 6,321,211; Reilly, U.S. Patent No. 6,401,150; and Coward, U.S. Patent No. 6,633,899, whether taken individually or in combination.

For example, independent claim 19 (combination of previously pending claims 1 and 5) defines a processing status enquiry method of inquiring a status of processing executed by another computer, comprising the steps of:

- sending a processing which a first computer requests a second computer to perform and a first identifier of the processing to the second computer;
- sending the first identifier to the second computer when the first computer inquires the second computer of a status of the processing requested;
- generating, by the second computer, a second identifier corresponding to a processing request received from the first computer and sending the second identifier to the first computer;
- storing in the second computer the second identifier corresponding to the first identifier; and
- inquiring, by the first computer, the second computer of a status of said processing using at least one of the first and second identifiers.

Likewise, independent claim 20 (combination of previously pending claims 9 and 12-14) defines a processing status enquiry system for inquiring a status of processing executed by another computer, comprising:

- a client computer; and
- a server computer connected to the client computer, via a network;
- wherein the client computer comprises:
  - a first identifier generating section for generating a first identifier corresponding to a processing for which an enquiry is issued to the server computer, and
  - an enquiry section for sending, upon inquiring the server computer of a status of the processing, the first identifier to the server computer,
- wherein the server computer comprises:

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a receiving section for receiving the first identifier corresponding to a processing which is requested from the client computer,  
an information acquiring section for acquiring, in response to a status enquiry for the processing which is received from the client computer and which includes the first identifier, information regarding a status of said processing corresponding to the first identifier,  
a second identifier generating section for generating a second identifier corresponding to said processing and storing in the server computer the second identifier corresponding to the first identifier, and  
a transmitting section for sending the information and the second identifier to the client computer.

Lastly, Independent claim 21 (combination of previously pending claims 5 and 8) defines a processing status enquiry system for inquiring a status of processing executed by another computer, comprising:

a first computer for sending a processing which the first computer requests a second computer to perform and a first identifier corresponding to said processing, to the second computer; and

a second computer for notifying, in response to a status inquiry of the processing which is received from the first computer and which includes the first identifier, a status of the processing to the first computer;

wherein the second computer generates a second identifier corresponding to a processing request received from the first computer and sends the second identifier to the first computer, and

wherein the first computer inquires the second computer of a status of said processing using at least one of the first and second identifiers.

As expressly defined in each of Applicants' base claims 19-21, the client (client computer) identifies information to be received or transmitted using two kinds of identifiers: an external identifier set by the client (client computer) and a job identifier set by the server (server computer). When a client (client computer) requests a processing to a server (server computer), the client sends an external identifier generated by the client (client computer) to the server (server computer) as well. In response to storing or registering of a job corresponding to the request the

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server (server computer) generates a job identifier and sends or notifies the job identifier to the client (client computer). The client (client computer) holds a corresponding relation between the external identifier and the job identifier accordingly. As a result, even when the server (server computer) has not yet generated or set a job identifier, the client (client computer) can inquire the server (server computer) of a status of the server process using the external identifier.

In contrast to Applicants' base claims 19-21, Matsumoto JP-A-7-129498 discloses an inquiry type remote procedure processor 104, as shown in FIG. 4, provided to operate a computer system without interrupting the internal processing of a client and to reduce the load of a server. Specifically, Matsumoto '498 discloses that in response to a request to an inquiry type remote procedure processor 104 (referred to as "procedure processor" hereafter) from a requesting entity (substance), an identifier corresponding to the request is returned from the procedure processor 104 to the requesting entity. The identifier is used in subsequent processing operations, such as a case of returning a response as a result of a processing corresponding to the request. For example, the requesting entity receives an identifier corresponding to a request from the procedure processor, and identifies information to be received or transmitted using the received identifier. However, the requesting entity cannot inquire the procedure processor of a status thereof, unless the requesting entity receives the identifier corresponding to the request from the procedure processor.

There is no disclosure anywhere in Matsushita '829 of Applicants' claimed "first and second [type of] identifiers": an external identifier set by the client (client computer) and a job identifier set by the server (server computer). Moreover, the

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procedure processor of Matsushita '829, which passes information between the requesting entity and a responding entity performing an actual processing, returns an identifier corresponding to the request to the requesting entity, whereas in Applicants' base claims 19-21, the server (server computer) performing a processing returns a job identifier directly to the client (client computer) therefrom.

As secondary references, Dodd, U.S. Patent No. 6,321,211; Reilly, U.S. Patent No. 6,401,150; and Coward, U.S. Patent No. 6,633,899 do not remedy the noted deficiencies of Matsushita '829 in order to arrive at Applicants' base claims 19-21. This is because Dodd '211, for example, only discloses a method and system for electronically accepting and exchanging an on-line gift, as shown in FIG. 3 and FIG. 4. There is no disclosure anywhere in Dodd '211 of any processing status enquiry method or system for inquiring a status of processing executed by another computer as defined in Applicants' base claims 19-21.

Likewise, Reilly '150 discloses the use of a centralized queue for a networking printing system, as shown in FIG. 2 and FIG. 6, for storing job information of a print job, when a networking printing system is busy without transmitting the actual data. Again, there is no disclosure anywhere in Reilly '150 of any processing status enquiry method or system for inquiring a status of processing executed by another computer as defined in Applicants' base claims 19-21.

Lastly, Coward '899 discloses the use of a dynamic installation and configuration broker, as shown in FIG. 1A and FIG. 1B, for facilitating communication among a plurality of devices during a process being performed on a remotely located server. Again, there is no disclosure anywhere in Coward '899 of any processing

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status enquiry method or system for inquiring a status of processing executed by another computer as defined in Applicants' base claims 19-21.

The rule under 35 U.S.C. §102 is well settled that anticipation requires that each and every element of the claimed invention be disclosed in a single prior art reference. In re Paulsen, 30 F.3d 1475, 31 USPQ2d 1671 (Fed. Cir. 1994); In re Spada, 911 F.2d 705, 15 USPQ2d 1655 (Fed. Cir. 1990). Those elements must either be inherent or disclosed expressly and must be arranged as in the claim. Richardson v. Suzuki Motor Co., 868 F.2d 1226, 9 USPQ2d 1913 (Fed. Cir. 1989); Constant v. Advanced Micro-Devices, Inc., 848 F.2d 1560, 7 USPQ2d 1057 (Fed. Cir. 1988); Verdegall Bros., Inc. v. Union Oil Co., 814 F.2d 628, 2 USPQ2d 1051 (Fed. Cir. 1987). The corollary of that rule is that absence from the reference of any claimed element negates anticipation. Kloster Speedsteel AB v. Crucible Inc., 793 F.2d 1585, 230 USPQ2d 81 (Fed. Cir. 1986).

The rule under 35 U.S.C. §103 is also well settled that obviousness requires the Examiner to show that the prior art reference (or references when combined) must teach or suggest all the claim limitations, and that there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings, provided with a reasonable expectation of success. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on Applicants' disclosure. In re Vaack, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). See MPEP 2143. In other words, all the claim limitations must be taught or suggested by the prior art. In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).

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"All words in a claim must be considered in judging the patentability of that claim against the prior art." In re Wilson, 424 F.2d 1382, 1385, 165 USQP 494, 496 (CCPA 1970). "Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching, suggestion or incentive supporting the combination." ACS Hospital System, Inc v. Montefiore Hospital, 732 F.2d 1572, 1577, 221 USPQ 929, 933 (Fed. Cir. 1984). The Examiner must point to something in the prior art that suggests in some way a modification of a particular reference or a combination of references in order to arrive at Applicants' claimed invention. Absent such a showing, the Examiner has improperly used Applicants' disclosure as an instruction book on how to reconstruct to the prior art to arrive at Applicants' claimed invention. Furthermore, any deficiencies in the cited references cannot be remedied with conclusions about what is "basic knowledge" or "common knowledge". See In re Lee, 61 USPQ 2d 1430 (Fed. Cir. 2002).

In the present situation, all cited prior art, including Matsumoto, JP 07-129498; Dodd, U.S. Patent No. 6,321,211; Reilly, U.S. Patent No. 6,401,150; and Coward, U.S. Patent No. 6,633,899 fail to disclose and suggest key features of Applicants' base claims 19-21 and their respective dependent claims. Therefore, Applicants respectfully submit that Applicants' newly added claims 19-38 are deemed distinguishable and, should be placed in condition for allowance.

In view of the foregoing amendments, arguments and remarks, all claims 19-38 are deemed to be allowable and this application is believed to be in condition to be passed to issue. Should any questions remain unresolved, the Examiner is requested to telephone Applicants' attorney at the Washington DC area office at



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(703) 312-6600. Applicants respectfully reserve all rights to file subsequent related application(s) (including reissue applications) directed to any or all previously claimed limitations/features which have been amended or canceled, or to any or all limitations/features not yet claimed, i.e., Applicants have no intention or desire to dedicate or surrender any limitations/features of the disclosed invention to the public.

**INTERVIEW:**

In the interest of expediting prosecution of the present application, Applicants respectfully request that an Examiner interview be scheduled and conducted. In accordance with such interview request, Applicants respectfully request that the Examiner, after review of the present Amendment, contact the undersigned local Washington, D.C. area attorney at the local Washington, D.C. telephone number (703) 312-6600 for scheduling an Examiner interview, or alternatively, refrain from issuing a further action in the above-identified application as the undersigned attorneys will be telephoning the Examiner shortly after the filing date of this Amendment in order to schedule an Examiner interview. Applicants thank the Examiner in advance for such considerations. In the event that this Amendment, in and of itself, is sufficient to place the application in condition for allowance, no Examiner interview may be necessary.

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To the extent necessary, Applicants petition for an extension of time under 37 CFR §1.136. Please charge any shortage of fees due in connection with the filing of this paper, including extension of time fees, to the Deposit Account of Antonelli, Terry, Stout & Kraus, No. 01-2135 (Application No. 500.39441X00), and please credit any excess fees to said deposit account.

Respectfully submitted,

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